

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TruePosition, Inc.,

Plaintiff

v.

Andrew Corporation,

Defendant

Civil Action No. 05-747-SLR

ORDER

At Wilmington this _____ of 2008, consistent with the memorandum opinion entered on August 1, 2008;

IT IS ORDERED that:

1. Defendant's motion for judgment as a matter of law or, in the alternative, a new trial (D.I. 318) is denied.

2. Plaintiff's motion for enhanced damages, attorney fees and other related expenses (D.I. 314) is granted in part, to wit:

a. The damages due plaintiff from defendant's willful infringement, \$18,600,000, is increased by 25% percent to \$23,250,000.

b. Plaintiff's motion for attorney fees and costs, pursuant to 35 U.S.C. §285, is denied.

3. Defendant shall pay prejudgment interest, pursuant to 35 U.S.C. §284, on the award of \$18,600,000, compounded quarterly and at the prime rate.

4. Defendant shall pay post-judgment interest, pursuant to 28 U.S.C. §1961(a), on the sum of the award of \$18,600,000 plus the pre-judgment interest owed to plaintiff under paragraph 3, said post-judgment interest calculated from the date of entry of the judgment, September 19, 2007, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System for the calendar week preceding.

5. Defendant shall pay post-judgment interest, pursuant to 28 U.S.C. §1961(a), on the enhanced damages award of \$4,650,000 owed to TruePosition under paragraph 2, said post-judgment interest calculated from the date of entry of the Court's August 1, 2008 order (D.I. 374), at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System for the calendar week preceding.

6. Plaintiff's motion for a permanent injunction (D.I. 316) is granted. The parties shall submit a more detailed permanent injunction order, commensurate with the court's opinion, on or before August 27, 2008.

7. This order supersedes and replaces the Court's order entered August 1, 2008 (D.I. 374).

United States District Judge